



Grafton Conservation Commission

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MINUTES of the GRAFTON CONSERVATION COMMISSION

August 4, 2015

7:00 p.m.

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A meeting of the Grafton Conservation Commission was held in the Finance Committee Meeting Room of the Grafton Municipal Center on August 4, 2015. Present were: Co-Chairperson Sandra Brock, Peter Finn, Heather Trudell, Kathleen Theoharides, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron. Absent was Co-Chairperson John Wilson.

Co-Chairperson Sandra Brock opened the public meeting at 7:03 p.m.

ACTION ITEM:

DEP File # 164-254 / WP # 88 – 51 Meadow Lane – The Commission reviewed a Request for partial Certificate of Compliance for 51 Meadow Lane. This DEP filing encompassed the entire Fieldstone Farm subdivision, including the original farmhouse that still stands at this address. The Conservation Agent confirmed that the site is stable and complete. Heather Trudell made a motion, seconded by Peter Finn, to issue a partial Certificate of Compliance for 51 Meadow Lane. The motion carried unanimously.

DISCUSSION ITEM:

July 21, 2015 Meeting Minutes – The Commission reviewed the draft meeting minutes from July 21, 2015. Co-Chairperson Sandra Brock suggested changing the wording “drafted meeting minutes” in the two discussion items to “draft meeting minutes.” Heather Trudell made a motion, seconded by Peter Finn, to approve the meeting minutes dated July 21, 2015 with the aforementioned correction. The motion carried unanimously.

ACTION ITEM:

Release of Enforcement Order for 13 George Hill Road – The Commission is awaiting feedback from the applicant and thus took no action on this item at this time.

PUBLIC HEARINGS/MEETINGS:

Request for Determination of Applicability – Randy Gagne – 5 Hitchings Road – The applicant presented his proposal to construct a 16' x 32' deck in the existing lawn area in the back of the house. He requested that the Commission determine whether the proposed work is subject to the Wetlands Protection Act or the Grafton Wetlands Protection Bylaw. He stated that the edge of the deck is 26' from the water's edge and the necessary posts will be a few feet further from the water's edge. The Conservation Agent did not observe riverfront characteristics in the area and found it to be still water full of duckweed. The Commission agreed that this does not categorize the area as riverfront. Peter Finn discouraged the clipping of vegetation along the shoreline, which he noted in the provided photographs. Kathleen Theoharides requested that herbicides shall not be utilized to kill the vegetation beneath the proposed deck. The applicant was in agreement with both requests. Heather Trudell made a motion, seconded by Peter Finn, to issue a negative Determination of Applicability with the conditions that all excavated material shall be removed from the site and that, upon completion, the applicant shall contact the Conservation Commission office to schedule a site visit. The motion carried unanimously.

DEP File # 164-898, 164-899, 164-900, & 164-901 NOI / Applications for Grafton Wetlands Bylaw Permits # 731, 732, 733, & 734 – 84, 86, 78, & 130 Magill Drive (continuation) – The applicant proposed the construction of single family homes and associated utilities within the 100' buffer zone to resource areas. Travis Brown of Andrews Survey & Engineering, Inc. discussed the project with the Commission. As a result of the discussion at the Commission's July 7, 2015 meeting, several revisions were made to the plans. A second Cultec system was added to 84 Magill Drive to account for runoff. Each of the four homes now includes a proposed deck. All of the homes have foundation drains, three of which daylight on the property, outside of the 25' no disturb zone. The proposed house at 78 Magill Drive was also moved so that it is now 42' from the wetland, allowing additional space for routine maintenance by a future owner without encroaching on the 25' no disturb zone. The plans now show complete 25' no disturb zone boundary lines, along with the locations of the signs to demarcate these lines. The wetlands were flagged by Andrews Survey & Engineering and verified by the Conservation Agent. Heather Trudell made a motion, seconded by Peter Finn, to close the public hearing and issue Orders of Conditions with the Commission's standard special conditions for 84, 86, 78, & 130 Magill Drive. The motion carried unanimously.

DEP File # 164-902 NOI, Application for Grafton Wetlands Bylaw Permit #735 - Magill Associates, Inc. – Meadow Lane (Assessors Map 45, Lot 71) (continuation) – The applicant proposed the replacement of an existing drainage culvert and two retaining walls with associated earthwork and road replacement within the 100' buffer zone to resource areas. Travis Brown of Andrews Survey & Engineering, Inc. discussed the project with the Commission. He explained that 4-5 feet on the ends of the pipe are crushed but that otherwise, you can see through the pipe. The Commission requested photos to document this. He also explained that the catch basin is full of silt and that they can increase the sump as part of the renovation. The Commission also requested plans for the concrete wall footing showing the area of temporary wetland impacts and a phasing plan. The Commission requested that the hydric soils that are excavated be stockpiled and returned after construction with a wetland seed mix and mulch. The Commission also asked for the Notice of Intent to be edited to change the project to non-emergency status with an accompanying explanation. The Commission determined that the fee that was paid was acceptable because the project does not require a new stream crossing. Heather Trudell made a motion, seconded by Peter Finn to continue the hearing for Meadow Lane to August 18, 2015. The motion carried unanimously.

Application for Stormwater Management Bylaw Permit # 15-003 – Casa Builders & Developers Corp. – 4 Grist Mill Road & 102 Pleasant Street (Assessor's Map 97, Lot 22A and Assessor's Map 98, Lot 2) (continuation) - The applicant is proposing the construction of a 10-lot residential subdivision consisting of single family dwellings. The applicant has requested a continuance to the next scheduled meeting. Peter Finn made a motion, seconded by Heather Trudell to continue the hearing for 4 Grist Mill Road & 102 Pleasant Street to August 18, 2015. The motion carried unanimously.

DISCUSSION ITEM:

DEP File # 164-825 / WP # 663 – 41 Wesson Road, Access Road – At their July 7, 2015 meeting, the Commission discussed 41 Wesson Road with Norman Hill of Land Planning, Inc. and learned that the work that was completed differed from the approved plans. Land within the 100' wetland buffer was cleared of trees at the end of the access road and the amount of fill placed along the access road exceeded the amount approved in the Order of Conditions. Norman Hill was present at the current meeting to discuss how to proceed. He explained that his previous statement that a house would eventually be built in the cleared area was incorrect; the area was cleared to function as a staging area for the applicant's company. The Commission discussed with the applicant their options going forward: a revised Notice of Intent, an Enforcement Order, or an Amended Order of Conditions. The Commission left the decision up to the applicant as to how they wished to proceed because each choice has different consequences. The Commission suggested that the applicant, Norman Hill,

and the Conservation Agent meet on site with Arthur Allen of EcoTec, Inc. to determine the best place for replication to occur. The applicant would then incorporate this information into their future plans. The Commission also reminded the applicant that equipment and stockpiling needs to be kept out of the 100 foot buffer zone going forward.

Co-Chairperson Sandra Brock closed the public meeting at 8:24 p.m.

Documents discussed located in the Conservation Commission office:

Request for partial Certificate of Compliance & partial Certificate of Compliance for 51 Meadow Lane
Meeting Minutes of July 21, 2015

Enforcement Order for 13 George Hill Road

Request for Determination of Applicability & Determination of Applicability for 5 Hitchings Road

Notices of Intent & Orders of Conditions for: 84, 86, 78, 130 Magill Drive

Applications for Grafton Wetlands Bylaw Permits & Grafton Wetlands Bylaw Permits for: 84, 86, 78, 130 Magill Drive

Notice of Intent for Meadow Lane culvert

Application for Grafton Wetlands Bylaw Permit for Meadow Lane culvert

Application for Stormwater Management Bylaw Permit # 15-003

Order of Conditions for 41 Wesson Road

Notices of Public Hearings for: 5 Hitchings Road RDA, 84, 86, 78, & 130 Magill Drive NOIs, Meadow Lane culvert NOI, 4 Grist
Mill Road Stormwater Bylaw Permit

Agent's Report to the Commissioners dated August 4, 2015

Minutes drafted by Leah Cameron

Approved on September 1, 2015